

REMARKS

The above amendments and following remarks are responsive to the points raised by the Examiner in the non-final Office Action mailed August 8, 2003. Upon entry of the present Amendment, Claims 40 and 41 will have been canceled, without prejudice or disclaimer, and Claims 28-39 will be pending. No new matter has been introduced. Entry and reconsideration are respectfully requested.

Response to Rejections of Claims 40 and 41

Claims 40 and 41 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 22 of US Patent 6,199,563. Claims 40 and 41 have also been rejected under 35 U.S.C. § 103(a) as being obvious over Manos (US Patent 5,672,212) in view of either Foell et al. (US Patent 4,874,484), Medernach (US Patent 5,277,769), or Takeuchi (US Patent 5,017,513). Further, Claims 40 and 41 have been rejected under 35 U.S.C. § 103(a) as being obvious over Bunkenburg et al. (US Patent 4,854,337) in view of Manos (US Patent 5,672,212). Applicants traverse these rejections.

In the interest of expediting prosecution of the present application, Applicants, via the instant Amendment, have canceled Claims 40 and 41, without prejudice or disclaimer. As such, the rejections of Claim 40 and 41 under the Judicially created doctrine of obviousness-type double patenting and 35 U.S.C. § 103(a) are now moot and should be withdrawn.

Allowable Subject Matter

The Examiner has allowed Claims 28-39. Applicants concur with the Examiner's allowance these claims.

CONCLUSION

Applicants respectfully submit that pending Claims 28-39 are in condition for allowance and a notice to that effect is earnestly solicited.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees, which may be required for the timely consideration of this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4421US1.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: October 24, 2003

By: 

Brian W. Brown

Registration No. 47,265

(202) 857-7887 Telephone

(202) 857-7929 Facsimile

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, New York 10154
(212) 758-4800 Telephone
(212) 751-6849 Facsimile